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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,884	09/23/2004	Atsushi Asai	450100-04443	8101
22852 7590 08/24/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER HILLERY, NATHAN	
			ART UNIT 2176	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/508,884	Applicant(s) ASAI, ATSUSHI	
	Examiner Nathan Hillery	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 7/31/07.
2. Claims 27 – 42 are pending in the case.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/22/07 has been entered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27 – 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Core (Core Web3D) and further in view of Daniels, Jr. et al. (US 20020010571 A1).

Regarding independent claim 27, Core teaches that Sony Community Place Conductor is a multiuser authoring tool used to construct worlds that can be inhabited by more than one person at a time. Users must install the Sony Community Place

VRML browser before they can step into such worlds. In addition, these worlds must be delivered by Sony's multiuser Community Place Bureau server (p 4, Multiuser (MU) World Builders, second block paragraph), which meet the limitation of **providing, upon satisfaction of specifications, each of the components with a service via a browser.**

Core teaches that World builders typically come with libraries of premade objects, texture maps, background images, and audio files that you can assemble into comprehensive worlds or use as the basis for your own objects. In addition, many world builders come with example scenes that you can use as a starting point for your own worlds (p 1, World Builders, second block paragraph), which meet the limitation of **forming multimedia content by collecting scenes, each scene containing a component group formed by customizing and arbitrarily combining a plurality of components operating on a browser,**

Core teaches that because prototypes can be created using any number of VRML's built-in nodes, including Script nodes that contain programs written in languages such as Java and JavaScript, they can be quite sophisticated. A number of reusable prototype nodes are available on the Web, such as the freely available PROTO Repository, which can save content authors a great deal of time and tedium when it comes to implementing advanced features in their VRML worlds (p 16, second paragraph), which meet the limitation of **the scene also containing a script for operating each component.**

Core teaches that you can use world builders to assemble preexisting VRML objects into scenes where you can then add hyperlinks, lights, and viewpoints. World builders also allow you to visually customize existing VRML content for your own needs (p 1, World Builders, first block paragraph); and Core teaches that these tools can also be used to create VRML models for use with Java 3D, MPEG-4/ BIFS, and X3D (p 1, Visual Development Tools, fourth block paragraph), which meet the limitation of **reading the multimedia content and loading the component group and script contained in the scene.**

Core teaches that like most modelers, Nendo offers a large number of modeling commands that can be applied to objects as they're developed. Entire objects (or selected portions of an object), can be copied, pasted, deleted, mirrored, flipped, inverted, extruded, scaled, smoothed, moved, rotated, and much, much more (p 7, first block paragraph), which meet the limitation of **displaying one of the components in a predetermined 3-D virtual space and deleting another of the components previously displayed in the 3-D virtual space.**

Core teaches that the blaxxun Contact browser already supports Universal Media, making it the first VRML browser of its kind (p 5, first two lines), which meet the limitation of **providing a communication service between an interpreter of the script and each component**, since Universal Media means you can craft media-rich worlds that download over the network instantly (p 4, lines 3 – 5).

Core teaches that after assigning behavior components to the model you can visually "wire" together the various input and output fields they contain (see Figure 10-

18). Wiring the camcorder's focus buttons to the LED display, allowing users to zoom in and out of the picture, provides additional functionality (p 11, lines 1 – 6), which meet the limitation of **managing focus transition between the one of the components and another of the components.**

Core teaches that after assigning behavior components to the model you can visually "wire" together the various input and output fields they contain (see Figure 10-18). Wiring the camcorder's focus buttons to the LED display, allowing users to zoom in and out of the picture, provides additional functionality (p 11, lines 1 – 6), which meet the limitation of **distributing a corresponding input from a predetermined external key to the one of the components.**

Core does not explicitly teach **managing a life cycle of each component, wherein the life cycle comprises a plurality of states for each component.**

Core teaches that World-builder tools are 3D authoring programs that you can use to create entire VRML scenes from scratch. World builders also allow you to visually customize existing VRML content for your own needs, and many actually offer integrated modeling tools with which you can construct your own objects (p 1, World Builders, first block paragraph) and Daniels, Jr et al. teach that changing the control elements through manipulation by mouse, keyboard command, or by other input device associated with the computer displaying the derived state of a control element in an input object (paragraph block 0027), the combination of which meet the limitation of **managing a life cycle of each component, wherein the life cycle comprises a plurality of states for each component.**

Because both Core and Daniels, Jr. et al. teach methods for interactive virtual reality, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute one method for the other to achieve the predictable result of providing states for each component in a life cycle.

Regarding dependent claims 28 and 31, Core teaches that after assigning behavior components to the model you can visually "wire" together the various input and output fields they contain (see Figure 10-18). Wiring the camcorder's focus buttons to the LED display allows users to zoom in and out of the picture. Behaviors have been assigned to the viewfinder and LED display of the model (see Figure 10-19) (p 11, lines 1 – 6), which meet the limitation of **synchronously reproducing media; and transitioning between a first scene and a second scene.**

Regarding dependent claims 29 and 32, Core teaches that the blaxxun Contact browser already supports Universal Media, making it the first VRML browser of its kind (p 5, first two lines), which meet the limitation of **maintaining presentation consistency when the multimedia content is reproduced on the browser**, since Universal Media means you can craft media-rich worlds that download over the network instantly (p 4, lines 3 – 5).

Regarding dependent claims 35 and 39, Core teaches that Figure 10-10. Internet Space Builder is an integrated world-building tool that supports geometric

modeling, texture editing, and scene creation (p 2), which meet the limitation of **combining the multimedia content and the browser to create one application.**

Regarding dependent claim 36, Core teaches that Internet Space Builder includes sophisticated texture-mapping and texture-editing tools, giving you great control over the appearance of texture maps used in your scenes. In addition, Internet Space Builder's multimedia capabilities allow you to map texture movies to objects and add MIDI and WAV file sound sources to scenes (p 1, World Builders, third paragraph), which meet the limitation of **controlling reading the one of the components in a distribution format and displaying the one of the components on a graphic user interface (GUI).**

Core teaches that Figure 10-11. Internet Scene Assembler lets you assemble premade objects into interactive, dynamic worlds (pp 2 and 3), which meet the limitations of **adding another component selected from the plurality of components, on the graphic user interface to the multimedia content and providing the graphic user interface for customizing the added component.**

Core teaches that because Internet Space Builder doesn't support behavior modeling or event handling, the scenes you create with this world-building tool are static in nature. As a result, you must import the scenes you create with this tool into a behavior-oriented authoring tool (p 3, first paragraph block), which meet the limitation of **converting the multimedia content edited in the displaying, adding, and providing steps into a distributable format.**

Regarding dependent claim 40, Core teaches that X3DML is a language designed to integrate easily with other languages, to precisely describe the types of information needed for creating animated 3D worlds. X3DML is being designed to broaden the tools available to authors and to ensure that what they create will last by putting that information into a form that is used by more tools, more implementers, and more authors (p 15, last block paragraph), which meet the limitation of **wherein the techniques utilized in the first format include XML**.

Regarding independent claims 30, 33, 34, 37, 38, 41 and 42, the claims incorporate substantially similar subject matter as claim 27 and are rejected along the same rationale.

Response to Arguments

6. Applicant's arguments filed 12/28/06 have been fully considered but they are not persuasive.

7. Applicant argues that Core does not disclose forming multimedia content by collecting scenes, each scene containing a component group formed by customizing and arbitrarily combining a plurality of components operating on a browser, the scene also containing a script for operating each component because the elements described by Core as part of the "world builders" are all premade objects (p 14, last paragraph).

The Office disagrees.

First, Core teaches that World-builder tools are 3D authoring programs that you can use to create entire VRML scenes from scratch. You *can* use world builders to assemble preexisting VRML objects into scenes where you can then add hyperlinks, lights, and viewpoints. World builders also allow you to visually customize existing VRML content for your own needs, and many actually offer integrated modeling tools with which you can construct your own objects (p 1, World Builders, first block paragraph).

In contradistinction, the elements described by Core are NOT all premade as asserted by applicant. However, premade objects can be implemented, customized and combined to create scenes from scratch (p 1, World Builders, first block paragraph), thus forming multimedia content by collecting scenes, each scene containing a component group formed by customizing and arbitrarily combining a plurality of components operating on a browser as claimed.

Further, Core teaches that because prototypes can be created using any number of VRML's built-in nodes, including Script nodes that contain programs written in languages such as Java and JavaScript, they can be quite sophisticated. A number of reusable prototype nodes are available on the Web, such as the freely available PROTO Repository, which can save content authors a great deal of time and tedium when it comes to implementing advanced features in their VRML worlds.(p 16, second paragraph), which meet the limitation of **the scene also containing a script for operating each component**.

8. The remainder of Applicant's arguments with respect to claims 27 – 42 has been considered but is moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NH

Nathan Hillery
Examiner
Art Unit 2176